

1 AN ACT concerning elections.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Election Code is amended by changing
5 Sections 19-1, 19-2, 19-3, and 19-5 as follows:

6 (10 ILCS 5/19-1) (from Ch. 46, par. 19-1)

7 Sec. 19-1. Any qualified elector of the State of
8 Illinois having duly registered where such registration is
9 required who is of the age of 65 or more years or who expects
10 to be absent from the county in which he is a qualified
11 elector or who because of being appointed a judge of election
12 in a precinct other than the precinct in which he resides or
13 who because of physical incapacity or the tenets of his
14 religion in the observance of a religious holiday or who
15 because of election duties for the office of an Election
16 Authority or the State Board of Elections or who because of
17 election duties for a law enforcement agency, including but
18 not limited to the offices of the Attorney General, a State's
19 Attorney, a United States Attorney, or a State, county, or
20 municipal police department, or who, because he is
21 temporarily abiding outside the precinct in which he is
22 registered to vote due to the fact he is a student attending
23 an institution of higher education or who is serving as a
24 sequestered juror on a State or federal jury, will be unable
25 to be present at the polls on the day of holding any special,
26 general or primary election at which any presidential
27 preference is indicated or any candidates are chosen or
28 elected, for any congressional, State, district, county,
29 town, city, village, precinct or judicial offices or at which
30 questions of public policy are submitted, may vote at such
31 election as hereinafter in this Article provided.

1 Each Election Authority, law enforcement agency, and the
2 State Board of Elections shall compile and keep current a
3 list of his or its officers or employees who are eligible to
4 vote under this Article by reason of election duties.

5 For purposes of this Article 19, a physically
6 incapacitated voter marks his or her ballot "personally" when
7 the voter exercises his or her physical abilities to their
8 reasonable limit in marking the ballot, and marking
9 personally may include instructing the person assisting the
10 incapacitated voter when giving such instruction represents
11 the reasonable limit of the physical abilities.

12 (Source: P.A. 86-873; 86-875; 86-1028.)

13 (10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

14 Sec. 19-2. Any elector as defined in Section 19-1 who
15 is of the age of 65 or older or who is expecting to be absent
16 from the county of his residence or any such elector who
17 because of being appointed a judge of election in a precinct
18 other than the precinct in which he resides or who because of
19 physical incapacity or the tenets of his religion in the
20 observance of a religious holiday or who because of election
21 duties for the office of an Election Authority, the State
22 Board of Elections, or a law enforcement agency will be
23 unable to be present at the polls on the day of such election
24 may by mail, not more than 40 nor less than 5 days prior to
25 the date of such election, or by personal delivery not more
26 than 40 nor less than one day prior to the date of such
27 election, make application to the county clerk or to the
28 Board of Election Commissioners for an official ballot for
29 the voter's precinct to be voted at such election.

30 (Source: P.A. 84-808.)

31 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

32 Sec. 19-3. Application for such ballot shall be made on

1 blanks to be furnished by the election authority and
2 duplication of such application for ballot is prohibited,
3 except by the election authority. The application for ballot
4 shall be substantially in the following form:

5 APPLICATION FOR BALLOT

6 BY ELECTOR WHO EXPECTS TO BE

7 ABSENT FROM COUNTY

8 To be voted at the election in the County of
9 and State of Illinois, in the precinct of the (1)
10 *township of (2) *City of or (3) *.... ward in the
11 City of

12 I state that I am a resident of the precinct of the
13 (1) *township of (2) *City of or (3) *.... ward in
14 the city of residing at in such city or town in the
15 county of and State of Illinois; that I have lived at
16 such address for month(s) last past; that I am lawfully
17 entitled to vote in such precinct at the election to be
18 held therein on; that I expect to be absent from the
19 county of my residence on the date of holding such election,
20 and that I will have no opportunity to vote in person on that
21 day.

22 I hereby make application for an official ballot or
23 ballots to be voted by me at such election if I am absent
24 from the county of my residence, and I agree that I shall
25 return such ballot or ballots to the official issuing the
26 same prior to the closing of the polls on the date of the
27 election.

28 Under penalties as provided by law pursuant to Section
29 29-10 of The Election Code, the undersigned certifies that
30 the statements set forth in this application are true and
31 correct.

32

33 *fill in either (1), (2) or (3).

34 Post office address to which ballot is mailed:

1
 2 However, if application is made for a primary election
 3 ballot, such application shall designate the name of the
 4 political party with which the applicant is affiliated.

5 APPLICATION FOR BALLOT
 6 BY ELECTOR WHO IS JUDGE OF ELECTION
 7 IN A PRECINCT OTHER THAN THE PRECINCT
 8 IN WHICH HE RESIDES

9 To be voted at the election in the County of
 10 and State of Illinois, in the precinct of the (1)
 11 *township of (2) *City of or (3) *.... ward in the
 12 City of

13 I state that I am affiliated with the party (to be
 14 used in primary elections) and that I am a resident of the
 15 precinct of the (1) *township of (2) *City of
 16 or (3) *.... ward in the city of residing at in
 17 such city or town in the county of and State of
 18 Illinois; that I have lived at such address for month(s)
 19 last past; that I am lawfully entitled to vote in such
 20 precinct at the election to be held therein on;
 21 that I am a judge of election in precinct or the (1)
 22 *.... ward in the city of or (2) *township of or
 23 (3) *city, village or incorporated town of in such
 24 county and that I will have no opportunity of voting in
 25 person on that day:

26 I hereby make application for an official ballot or
 27 ballots to be voted by me at such election if I serve as a
 28 judge of election in such last named precinct, and I agree
 29 that I shall return such ballot or ballots to the official
 30 issuing the same prior to the closing of the polls on the
 31 date of the election.

32 Under penalties as provided by law pursuant to Section
 33 29-10 of The Election Code, the undersigned certifies that
 34 the statements set forth in this application are true and

1 correct.

2

3 *fill in either (1), (2) or (3).

4 Post office address to which ballot is mailed:

5

6 APPLICATION FOR BALLOT

7 BY PHYSICALLY INCAPACITATED ELECTOR

8 To be voted at the election in the County of
9 and State of Illinois, in the precinct of the (1)
10 *township of (2) *City of or (3) * ward in the
11 City of

12 I state that I am affiliated with the party (to be
13 used in primary elections) and that I am a resident of the
14 precinct of the (1) *township of (2) *City of
15 or (3) * ward in the city of residing at in
16 such city or town in the county of and State of
17 Illinois; that I have lived at such address for month(s)
18 last past; that I am lawfully entitled to vote in such
19 precinct at the election to be held therein on ;
20 that I shall be physically incapable of being present at the
21 polls of such precinct on the date of holding such election
22 for the following reasons:

23 I hereby make application for an official ballot or
24 ballots to be voted by me at such election if I am so
25 physically incapacitated, and I agree that I shall return
26 such ballot or ballots to the official issuing the same prior
27 to the closing of the polls on the date of election.

28 Under penalties as provided by law pursuant to Section
29 29-10 of The Election Code, the undersigned certifies that
30 the statements set forth in this application are true and
31 correct.

32

33 *fill in either (1), (2) or (3).

34 Post office address to which ballot is mailed:

1

2 APPLICATION FOR BALLOT

3 BY ELECTOR 65 YEARS OLD OR OLDER

4 To be voted at the election in the County of
5 and State of Illinois, in the precinct of the (1)
6 *township of (2) *City of or (3) *.... ward in the
7 City of

8 I state that I am affiliated with the party (to be
9 used in primary elections) and that I am a resident of the
10 precinct of the (1) *township of (2) *City of
11 or (3) *.... ward in the city of residing at in
12 such city or town in the county of and State of
13 Illinois; that I have lived at such address for month(s)
14 last past; that I am lawfully entitled to vote in such
15 precinct at the election to be held therein on;
16 that I am (or will be on the date of said election) 65 years
17 old or older.

18 I hereby make application for an official ballot or
19 ballots to be voted by me at such election because I am (or
20 will be on the date of said election) 65 years old or older,
21 and I agree that I shall return such ballot or ballots to the
22 official issuing the same prior to the closing of the polls
23 on the date of election.

24 Under penalties as provided by law pursuant to Section
25 29-10 of the Election Code, the undersigned certifies that
26 the statements set forth in this application are true and
27 correct.

28

29 *fill in either (1), (2), or (3).

30 Post office address to which ballot is mailed:

31

32 APPLICATION FOR BALLOT

33 BY ELECTOR OBSERVING RELIGIOUS HOLIDAY

34 To be voted at the election in the county of

1 State of Illinois, in the precinct (1) *township of
2 (2) *City of or (3) *.... ward in the City of

3 I state that I am affiliated with the party (to be
4 used in primary elections) and that I am a resident of the
5 precinct of the (1) *township of (2) *City of
6 or (3) *.... ward in the city of residing at in
7 such city or town in the county of and State of
8 Illinois; that I have lived at such address for month(s)
9 past, that I am lawfully entitled to vote in such precinct at
10 the election to be held therein on; that I shall be
11 unable to be present at the polls of such precinct on the
12 date of holding such election because of the tenets of my
13 religion in the observance of a religious holiday.

14 I hereby make application for an official ballot or
15 ballots to be voted by me at such election if I am so unable
16 to be present at the polls of such precinct on the date of
17 the election because of the tenets of my religion in the
18 observance of a religious holiday, and I agree that I shall
19 return the ballot or ballots to the official issuing the same
20 prior to the closing of the polls on the date of the
21 election.

22 Under penalties as provided by law pursuant to Section
23 29-10 of The Election Code, the undersigned certifies that
24 the statements set forth in this application are true and
25 correct.

26

27 *fill in either (1), (2) or (3).

28 Post office address to which ballot is mailed:
29

30 APPLICATION FOR BALLOT

31 BY ELECTOR WHO IS AN ELECTION EMPLOYEE
32 OF STATE'S ATTORNEY, COUNTY CLERK OR
33 BOARD OF ELECTION COMMISSIONERS

34 To be voted at the election in the County of

1 and State of Illinois, in the precinct of the (1)
2 *township of (2) *City of or (3) *.... ward in the
3 City of

4 I state that I am a resident of the precinct of the
5 (1) *township of (2) *City of or (3) *.... ward in
6 the city of residing at in such city or town in the
7 county of and State of Illinois; that I have lived at
8 such address for month(s) last past; that I am lawfully
9 entitled to vote in such precinct at the election to be
10 held therein on; that I am employed in the office of the
11 (State's Attorney of County) (County Clerk of
12 County) (Board of Election Commissioners of the (City)
13 (County) of and that because of election duties on the
14 date of holding such election I will have no opportunity to
15 vote in person on that day.

16 I hereby make application for an official ballot or
17 ballots to be voted by me at such election, and I agree that
18 I shall return such ballot or ballots to the official issuing
19 the same prior to the closing of the polls on the date of the
20 election.

21 Under penalties as provided by law pursuant to Section
22 29-10 of The Election Code, the undersigned certifies that
23 the statements set forth in this application are true and
24 correct.

25

26 *fill in either (1), (2) or (3).

27 Post office address to which ballot is mailed:
28

29 Provided, that if application be made for a primary
30 election ballot, such application shall designate the name of
31 the political party with which the applicant is affiliated.

32 APPLICATION FOR
33 TEMPORARILY ABSENT STUDENT BALLOT

34 To be voted at the election in the County of

1 and State of Illinois, in the precinct of the (1)
2 *township of (2) *City of or (3) *.... ward in the
3 City of

4 I state that I am a resident of the precinct of the
5 (1) *township of (2) *City of or (3) *.... ward in
6 the city of residing at in such city or town in the
7 county of and State of Illinois; that I have lived at
8 such address for month(s) last past; that I am lawfully
9 entitled to vote in such precinct at the election to be
10 held therein on; that I am temporarily abiding outside
11 such precinct in the (1) *township of (2) *City of
12 in the county of and State of due to the fact I am
13 a student attending an institution of higher education, and
14 for that reason do not expect to have an opportunity to vote
15 in person on that day.

16 I hereby make application for an official ballot or
17 ballots to be voted by me at such election if I am absent
18 from the precinct of my residence, and I agree that I shall
19 return such ballot or ballots to the official issuing the
20 same prior to the closing of the polls on the date of the
21 election.

22 Under penalties as provided by law pursuant to Section
23 29-10 of The Election Code, the undersigned certifies that
24 the statements set forth in this application are true and
25 correct.

26

27 *fill in either (1), (2) or (3).

28 Post office address to which ballot is mailed:
29

30 However, if application is made for a primary election
31 ballot, such application shall designate the name of the
32 political party with which the applicant is affiliated.

33 In lieu of the separate application blanks heretofore
34 prescribed, the election authority may adopt a standard

1 application blank in substantially the following form for all
2 categories of absentee voters:

3 APPLICATION FOR
4 ABSENT VOTER'S BALLOT

5 To be voted at the election in the County of
6 and State of Illinois, in the precinct of the
7 (1) *township of (2) *City of or (3) *.....
8 ward in the City of

9 I state that I am a resident of the precinct of
10 the (1) *township of (2) *City of or (3)
11 *..... ward in the City of residing at
12 in such city or town in the county of and State of
13 Illinois; that I have lived at such address for months
14 last past; that I am lawfully entitled to vote in such
15 precinct at a election to be held therein on;
16 and that (1) I am (or will be on the date of said election)
17 65 years old or older or (2) I will be unable to vote in
18 person at the polls of such precinct for the following
19 reasons:

20 (Check One)

21 I expect to be absent from my county of residence.

22 I expect to be temporarily absent from the country.

23 I shall be serving as a judge of election in the
24 precinct which is not my precinct of
25 residence.

26 I shall be observing a religious holiday in
27 accordance with the tenets of my religion.

28 I shall be performing official election duties
29 for an Election Authority,

30 (election authority)

31 or the State Board of Elections.

32 (location)

33 I shall be performing election law enforcement
34 duties in the employment of,

1 (law enforcement agency)

2

3 (location)

4 I am temporarily abiding in the (1) *township of

5 (2) *city of in the county of and

6 State of due to the fact I am a student

7 attending an institution of higher education.

8 I am physically incapacitated.

9 Reason(s):

10 I have been called for jury duty on said day by

11

12 (court jurisdiction)

13 I hereby make application for an official ballot or
14 ballots to be voted by me at such election and agree that I
15 shall return the ballot or ballots to the election official
16 issuing the same in sufficient time for such official to
17 deliver the ballot or ballots to the proper polling place
18 prior to the closing of the polls on the date of the
19 election.

20 Under penalties as provided by law pursuant to Section
21 29-10 of the Election Code, the undersigned certifies that
22 the statements set forth in this application are true and
23 correct.

24

25 *fill in either (1), (2) or (3). Post office address to which
26 ballot is mailed:

27

28 Provided, that if application is made for a primary
29 election, such application shall designate the name of the
30 political party with which applicant is affiliated.

31 (Source: P.A. 86-873; 86-875; 86-1028.)

32 (10 ILCS 5/19-5) (from Ch. 46, par. 19-5)

33 Sec. 19-5. It shall be the duty of the election

1 authority to fold the ballot or ballots in the manner
 2 specified by the statute for folding ballots prior to their
 3 deposit in the ballot box, and to enclose such ballot or
 4 ballots in an envelope unsealed to be furnished by him, which
 5 envelope shall bear upon the face thereof the name, official
 6 title and post office address of the election authority, and
 7 upon the other side if the ballot is to go to an elector who
 8 is to be out of the county on the day of the election a
 9 printed certification in substantially the following form:

10 I state that I am a resident of the precinct of the
 11 (1) *township of (2) *City of or (3) *.... ward in
 12 the city of residing at in such city or town in the
 13 county of and State of Illinois, that I have lived at
 14 such address for months last past; that I am lawfully
 15 entitled to vote in such precinct at the election to be
 16 held on; and I expect to be absent from the county of my
 17 residence on the date of such election.

18 *fill in either (1), (2) or (3).

19 I further state that I personally marked the enclosed
 20 ballot in secret.

21 Under penalties of perjury as provided by law pursuant to
 22 Section 29-10 of The Election Code, the undersigned certifies
 23 that the statements set forth in this certification are true
 24 and correct.

25

26 If the ballot is to go to an elector who is physically
 27 incapacitated the envelope shall bear upon the back thereof a
 28 certification in substantially the following form:

29 I state that I am a resident of the precinct of the
 30 (1) *township of (2) *City of or (3) *.... ward in
 31 the city of residing at in such city or town in the
 32 county of and State of Illinois, that I have lived at
 33 such address for months last past; that I am lawfully
 34 entitled to vote in such precinct at the election to be

1 held on; that I shall be physically incapable of being
2 present at the polls of such precinct on the date of holding
3 such election.

4 *fill in either (1), (2) or (3).

5 I further state that I personally marked the enclosed
6 ballot in secret. If I received assistance in casting my
7 ballot, I further attest that, due to physical incapacity, I
8 marked the enclosed ballot in secret with the assistance of

9
10 (Individual rendering assistance)
11
12 (Residence Address)

13 Under penalties of perjury as provided by law pursuant
14 to Section 29-10 of The Election Code, the undersigned
15 certifies that the statements set forth in this certification
16 are true and correct.

17

18 In the case of a voter who is voting absentee by reason
19 of physical incapacity, marking a ballot in secret includes
20 marking a ballot with the assistance of another individual,
21 other than a candidate whose name appears on the ballot
22 (unless the voter is the spouse or a parent, child, brother,
23 or sister of the candidate), the voter's employer, an agent
24 of that employer or an officer or agent of the voter's union,
25 when the voter's physical incapacity necessitates such
26 assistance.

27 If the ballot is to go to an elector who is 65 years old
28 or older, the envelope shall bear upon the back thereof a
29 certification in substantially the following form:

30 I state that I am a resident of the precinct of the
31 (1) *township of (2) *City of or (3) *.... ward in
32 the city of residing at in said city or town in the
33 county of and State of Illinois, that I have lived at
34 such address for months last past; that I am lawfully

1 entitled to vote in such precinct at the election to be
2 held on; that I am (or will be on the date of said
3 election) 65 years old or older.

4 *fill in either (1), (2), or (3).

5 I further state that I personally marked the enclosed
6 ballot in secret.

7 Under penalties of perjury as provided by law pursuant to
8 Section 29-10 of the Election Code, the undersigned certifies
9 that the statements set forth in this certification are true
10 and correct.

11

12 If the ballot is to go to an elector who is unable to be
13 present at the polls on the date of the election because of
14 the observance of a religious holiday, the envelope shall
15 bear upon the back thereof a certification in substantially
16 the following form:

17 I state that I am a resident of the precinct of the
18 (1) *township of (2) *City of or (3) *.... ward in
19 the city of residing at in said city or town in the
20 county of and State of Illinois, that I have lived at
21 such address for months last past; that I am lawfully
22 entitled to vote in such precinct at the election to be
23 held on; that I shall be unable to be present at the
24 polls of such precinct on the date of holding such election
25 because of the tenets of my religion in the observance of a
26 religious holiday.

27 *fill in either (1), (2) or (3).

28 I further state that I personally marked the enclosed
29 ballot in secret.

30 Under penalties of perjury as provided by law pursuant to
31 Section 29-10 of The Election Code, the undersigned certifies
32 that the statements set forth in this certification are true
33 and correct.

34

1 shall be unable to be present at the polls of such precinct
2 on the date of holding such election for the reason indicated
3 on the application for ballot enclosed herein.

4 *fill in either (1), (2) or (3).

5 I further state that I personally marked the enclosed
6 ballot in secret. If I received assistance in casting my
7 ballot, I further attest that, due to physical incapacity, I
8 marked the enclosed ballot in secret with the assistance of

9

10 (Individual rendering assistance)

11

12 (Residence Address)

13 Under penalties of perjury provided by law pursuant to
14 Section 29-10 of the Election Code, the undersigned certifies
15 that the statements set forth in this certification are true
16 and correct.

17

18 In the case of a voter who is voting absentee by reason
19 of physical incapacity, marking a ballot in secret includes
20 marking a ballot with the assistance of another individual,
21 other than a candidate whose name appears on the ballot
22 (unless the voter is the spouse or a parent, child, brother,
23 or sister of the candidate), the voter's employer, an agent
24 of that employer, or an officer or agent of the voter's
25 union, when the voter's physical incapacity necessitates such
26 assistance.

27 Provided, that if the ballot enclosed is to be voted at a
28 primary election, the certification shall designate the name
29 of the political party with which the voter is affiliated.

30 In addition to the above, the election authority shall
31 provide printed slips giving full instructions regarding the
32 manner of marking and returning the ballot in order that the
33 same may be counted, and shall furnish one of such printed
34 slips to each of such applicants at the same time the ballot

1 is delivered to him. Such instructions shall include the
2 following statement: "In signing the certification on the
3 absentee ballot envelope, you are attesting that you
4 personally marked this absentee ballot in secret. If you are
5 physically unable to mark the ballot, a friend or relative
6 may assist you after completing the enclosed affidavit.
7 Federal and State laws prohibit a candidate whose name
8 appears on the ballot (unless you are the spouse or a parent,
9 child, brother, or sister of the candidate), your employer,
10 your employer's agent or an officer or agent of your union
11 from assisting physically disabled voters."

12 In addition to the above, if a ballot to be provided to
13 an elector pursuant to this Section contains a public
14 question described in subsection (b) of Section 28-6 and the
15 territory concerning which the question is to be submitted is
16 not described on the ballot due to the space limitations of
17 such ballot, the election authority shall provide a printed
18 copy of a notice of the public question, which shall include
19 a description of the territory in the manner required by
20 Section 16-7. The notice shall be furnished to the elector
21 at the same time the ballot is delivered to the elector.

22 (Source: P.A. 89-653, eff. 8-14-96.)